

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-CV-81251-DMM

JIAN CAO,

Plaintiff,

v.

FLORIDA ATLANTIC UNIVERSITY
BOARD OF TRUSTEES,

Defendant.

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JOINT DISCOVERY PLAN

Pursuant to Rule 26(f), Fed.R.Civ.P., and this Court's Order dated October 16, 2023 [DE 9], counsel for Plaintiff, JIAN CAO, and counsel for Defendant, FLORIDA ATLANTIC UNIVERSITY BOARD OF TRUSTEES, submit this Joint Discovery Plan in and state as follows:

1) An estimated valuation of the case from the perspective of Plaintiff(s) and Defendant(s):

Plaintiff's estimated valuation of the case is approximately \$75,000-80,000 in economic damages to date and approximately \$300,000 in future economic damages

Defendant's estimated valuation of the case is unknown at this time as the case is not at issue yet.

2) The date for exchanging initial disclosures pursuant to Rule 26(a)(1):

November 30, 2023

3) The subjects on which discovery may be needed: Selection process for Full Professor

applicants (including comparator's application, employment history, etc), SPE (Sustained

Performance Evaluation) policies and process, SPE's received by other tenured professors in the School of Accounting.

- 4) **Whether the Parties can agree to limit discovery on particular issues through stipulation:** The parties will work together in an effort to limit discovery on issues through stipulation.
- 5) **What document discovery is needed:** All documents relating to the selection process for Full Professor applicants (including comparator's application, employment history, etc), SPE policies and process, SPE's received by other tenured professors in the School of Accounting.
- 6) **Whether discovery should be conducted in phases:** The parties will conduct exchange disclosures, request for production and interrogatories and then schedule necessary depositions.
- 7) **Whether the Parties expect to have disclosure, discovery, or preservation of electronically stored information, and if so, explain:**
- a. **The main information and documents sought;**
 - b. **The expected costs of e-discovery; and**
 - c. **Whether alternatives to e-discovery are possible.**
- Not applicable.
- 8) **What individuals each side intends to depose:** Plaintiff intends to depose the individuals responsible for consideration of her application for full professor and that of her comparator as well as relevant personnel concerning the SPE once identified through initial discovery

- 9) Any issues about claims of privilege or of protection as trial-preparation materials, including—if the parties agree on a procedure to assert these claims after production—whether to ask the court to include their agreement in an order under Federal Rule of Evidence 502: Not at this time.
- 10) What changes should be made in the limitations on discovery imposed by the Federal Rules of Civil Procedure or the Local Rules: None.
- 11) Whether early mediation or a settlement conference with a Magistrate Judge prior to the close of discovery would be helpful. The Parties are coordinating mediation with a private mediator. Plaintiff believes a settlement conference with the Magistrate Judge prior to the conclusion of discovery would be helpful and Defendant suggests that a conference may be helpful after a dispositive motion is filed.

Dated this 6th day of November, 2023.

s/Teri Guttman Valdes, Esq.

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